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May 27, 2004

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Room TWB-204  
Washington, D.C. 20554

**RE: NOTICE OF EX-PARTE COMMUNICATION**

*In the Matter of Section 272(f)(1) Sunset of BOC Separate Affiliate and Related Requirements, WC Docket No. 02-112; In the Matter of Performance Metrics and Standards for Interstate Special Access Services, CC Docket No. 01-321.*

Dear Ms. Dortch:

On Wednesday, May 26, 2004, Tom Hughes, Brian Benison, Christopher Heimann, Terri Hoskins, Ron Watkins and Brett Kissel of SBC Communications Inc. (SBC) met with Julie Veach, Ben Childers, Pamela Megna, William Cox, William Dever, Kimberly Jackson, Brad Koerner and William Kehoe of the FCC's Wireline Competition Bureau. The purpose of the meeting was to address, in the above captioned proceedings, SBC's position with respect to whether, and if so how, the FCC should adopt performance metric reporting requirements after section 272 of the Act sunsets. The attached documents were provided.

In accordance with section 1.1206 of the Commission's rules, this letter is being filed in the above referenced proceeding via the Commission's ECFS system. Should you have any questions regarding the attached, please do not hesitate to contact me by whatever means are most convenient for you.

Sincerely,

A handwritten signature in blue ink that reads "Brett A. Kissel". The signature is written in a cursive, flowing style.

ENCLOSURES

cc: Julie Veach  
Ben Childers  
Pamela Megna  
William Cox  
William Dever  
Kimberly Jackson  
Brad Koerner  
William Kehoe



PERFORMANCE MEASURES  
AFTER §272 SUNSETS

# Overview



- Special Access is competitive and PMs are unnecessary.
- If adopted, PMs should focus on the §272(e)(1) requirements.
- The FCC should identify the types of PMs required (consistent with its proposal in the Non-Accounting Safeguards proceeding), and allow BOCs to establish specific definitions/business rules tailored to their unique systems and processes (see attached SBC business rules).
- Standard statistical principles must apply to ensure that results are statistically valid.
- PMs should be diagnostic only; results should not be used to create a presumption of discrimination.
- A safe harbor should be established where no discrimination is presumed to exist.

# Special Access PM Reporting is Unnecessary

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- Special Access PMs are unnecessary because the market is competitive and market remedies for service quality and price are sufficient.
- Mandatory PMs and reporting would compromise market-based solutions and increase carrier costs.
- SBC provides performance assurances through tariffs, service level agreements and negotiated price flex contracts.

# PMs Should Focus on §272(e)(1) Requirements

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- To the extent the Commission adopts measures to assess compliance with §272(e)(1), the measures should be tailored to the requirements of that section *only*.
  - Focus on products and services relevant to competition in the long distance market.
  - Compliance assessed under the §272(e)(1) non-discrimination standard.

# FCC Should Adopt General Parameters



- As the FCC has recognized, processes and systems differ among the BOCs.
- Company-specific business rules are necessary to accommodate these differences.
- The FCC should identify the types of PMs to be reported and allow the BOCs to develop company-specific PM plans to comply.
- Each BOC should submit a PM reporting plan to the Wireline Competition Bureau identifying the specific business rules it will apply.
  - The plan should include an implementation schedule for any new measures in order to allow adequate time to ensure the right data is being used to produce a valid and meaningful comparison.

- Standard statistical principles should apply to ensure that results are statistically valid.
  - Lack of parity cannot be presumed based on a stare-and-compare of PM results.
  - The PM analysis should incorporate appropriate statistical safeguards (*e.g.*, define margin of error, exclude low volumes, and appropriately define parity performance), just as it does today.



# PMs Should be Diagnostic



- Lack of parity in PM results does not necessarily establish discrimination, only that differences exist.
- The FCC has acknowledged that performance may vary depending on the “*size,*” “*complexity,*” or “*specific geographic location*” of a customer’s request. *NonAcct’g Safeguards Order* at Para. 240.
- Because “the facts relating to each request will vary,” the FCC concluded it should “determine whether requests are equivalent on a *case-by-case* basis. *Id.*”
- Thus, the FCC cannot use PM results to create a presumption of discrimination.

- The Commission should establish a safe harbor.
  - Within the safe harbor: presumption of §272(e)(1) compliance.
  - Outside the safe harbor: where PMs show chronic out-of-parity situations, additional analysis triggered to determine if disparity is due to discrimination – but no presumption of discrimination.
    - Root-cause analysis is necessary to determine source of differences.
    - This analysis must include an assessment of whether:
      - Processes are comparable.
      - Orders are of similar size, complexity or location.
      - Customer processes account for different outcomes (*e.g.*, do access customers eliminate CPE troubles or exclude test OK results before sending in repair orders).

- To demonstrate compliance with §272(e)(1) in its §271 applications, SBC committed to track and maintain the seven (7) information disclosures proposed by the FCC in the FNPRM issued as part of the Non-Accounting Safeguards Order in CC Docket No. 96-149 (Appendix C of the order – see attached).

- These seven measures are:
  - **Successful Completion According to Desired Due Date** - The percentage of orders completed on or before the due date desired by the customer.
  - **Time from BOC Promised Due Date to Circuit being placed In Service** - The percentage of orders placed in service by the due date and in each successive 24-hour period until 95% of orders are in service.
  - **Time to Firm Order Confirmation** - The percentage of firm order confirmations sent within each successive 24-hour period until 95% is achieved.

- **Time from PIC Change Request to Implementation** - The percentage of complete and accurate PIC change requests implemented within each successive 6-hour period until 95% is achieved.
- **Mean Time to Restore** - The percentage of circuits restored within each successive 1-hour period after the trouble is reported.
- **Time to Restore PIC After Trouble Report** - The percentage of PIC troubles cleared within each successive 1-hour period until 95% is achieved.
- **Mean Time to Clear Network Trouble** - The average number of hours to clear network trouble.

# Reporting Intervals



- SBC currently tracks §272(e)(1) data on a monthly basis by state and produces quarterly reports (see attached excerpts from SBC biennial audit report for description of SBC's reporting process).
  - Reports are available to CLECs upon request.
  - Reports are provided to auditors during biennial audit process.
- There has been no showing or determination that existing practices are inadequate.
- If reporting nevertheless is required, data (broken down on a monthly basis) should not be reported more often than quarterly.
  - Reports should be due no less than 30 days after the end of the quarter to provide sufficient time to ensure data integrity.

# Reporting Data



- Data should continue to be reported on an aggregated basis for 3 categories: (1) Section 272 Affiliates, (2) BOC and Other Affiliates, and (3) Non-Affiliates.
- Retail data should not be included in BOC data.
  - Retail data is not tracked today because of significant process differences that make comparisons to wholesale invalid.
  - After §272 sunsets, BOCs should continue to track data for separate affiliates.
  - If §272 affiliate is reintegrated into BOC, then tracking of retail performance should be considered.

- “PIC Change” and “Feature Group D” measures are unnecessary in light of few problems/concerns.
- RBOCs participate in the CARE system which provides transparent access to, and information on, PIC requests.
  - “Notably, in the long distance market, all interexchange carriers have access to an electronic and automated system that allows customers to switch providers easily, at low cost and with no service disruption.” AT&T TRO Comments at ¶ 236.
- Switched Access measures are a solution in search of a problem.
  - Reported in ARMIS Service Quality Reports.
  - Switched Access was excluded from the types of access included in the FCC’s proposal in CC Docket No. 96-149.



- Adopt a limited set of measures for §272(e)(1) compliance purposes.
- Require BOCs to develop appropriately tailored, company-specific business rules to implement these measures.
- PM data should be made available upon request.
  - “Disclosure requirements also minimize the burden on the Commission’s enforcement process because entities will have the information to resolve disputes informally prior to submitting a complaint to the Commission.”  
Non-Accounting Safeguards, FCC 96-489, at ¶ 243.
- Refrain from adopting measures for switched access.
- Resolve duplicative proceedings simultaneously.

## 272(e)(1) Information Disclosures

<b>Service Category 1</b>
Successful Completion According to Desired Due Date
<b>Definition:</b>
The percentage of orders completed on or before the due date desired by the customer.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• Spare Span facilities</li> <li>• Unbundling</li> </ul>
<b>Business Rules:</b>

This service category includes the N, T, and C Service Orders with Activity Codes of A and R. The orders counted will be the completed In Effect (IE) orders. Both channelized and non-channelized orders will be counted. Orders missed due to customer reasons will be included in the denominator and counted as a “made” in the numerator. The Miss Codes designated as customer misses in each as of 2001 are:

- AIT – A, C, D, and I37
- PB – A, C, D, and I37
- SNET – A, C, D, and I37
- SWBT – A, C, D, and I37

Starting with July, 2003 all companies will measure with DDOBJ as the Accurate CDDD.

Beginning 2001, all companies will count MFC A, C, and D as met.

Effective 2002 retroactive to the beginning of 2001, all companies will count MFC I37 as met.

Downstream technicians use this code when orders are met but paperwork has not processed.

Results will be tracked for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories will be tracked- 272 affiliates, Other affiliates, and Non affiliates. All ACNAs within the 13-state territory have been classified into 272, Other, Non affiliates, and Retail. Retail customers of SBC are not part of this reporting process. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXCs, CLECs, ISPs, Paging companies, and Wireless providers.

The results will be reported by product. The products of interest are:

- DS0 – Defined as all DS0, ISDN, both analog and digital.
- DS1 – Defined as all DS1, T1, and ISDN Prime circuits.
- DS3 – Defined as all DS3, T3, and higher speed (i.e., OC1-OC192) circuits.

## 272(e)(1) Information Disclosures

### Levels of Disaggregation:

- By State
- By Entity Category
- 272 affiliates
- Other affiliates
- Non-affiliated telecommunications providers
- By Product
- DS0
- DS1
- DS3

#### Calculation:

$$\frac{[(\text{Completion Date less than or equal to the DDOBJ}) + (\text{Completion Date greater than DDOBJ when the miss code} = \text{customer})]}{[\text{Total IE N/T/C orders with Appropriate Activity Codes}]}$$
  
If no ACNA, do not count

#### Report Structure:

Monthly data will be generated quarterly by:

1. State
2. Entity Category
3. Product

### Key Contacts:

Regulatory Results/Operational Reviews – Gary Hajda  
Industry Market Support – Nancy Dalton  
Merger Compliance – Sherry Ramsey  
Federal Regulatory – Linda Yohe

## 272(e)(1) Information Disclosures

<b>Service Category 2</b>
Time from BOC Promised Due Date to Circuit being placed In Service
<b>Definition:</b>
The percentage of orders placed in service by the due date and in each successive 24-hour period until 95% of orders are in service.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• Spare Span facilities</li> <li>• Unbundling</li> </ul>
<b>Business Rules:</b>
<p>This service category includes the N, T, and C Service Orders with Activity Codes of A and R. All completed In Effect (IE) orders will be counted, both channelized and non-channelized. Orders missed due to customer reasons will be included in the denominator and counted as “made” in the numerator. The Miss Codes designated as customer misses in each region as of 2001 are:</p> <ul style="list-style-type: none"> <li>• AIT – A, C, D and I37</li> <li>• PB – A, C, D and I37</li> <li>• SNET – A, C, D and I37</li> <li>• SWBT – A, C, D and I37</li> </ul> <p>Beginning 2001, all companies will count MFC A, C, and D as met.  Effective 2002 retroactive to the beginning of 2001, all companies will count MFC I37 as met.  Downstream technicians use this code when the order is met but paperwork has not processed.  Results will be tracked for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories will be tracked- 272 affiliates, Other affiliates, and Non affiliates. All ACNAs within the 13-state territory have been classified into 272, Other, Non affiliates, and Retail. Retail customers of SBC are not part of this reporting process. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXC's, CLECs, ISPs, Paging companies, and Wireless providers.  The results will be reported by product. The products of interest are:</p> <ul style="list-style-type: none"> <li>• DS0 – Defined as all DS0, ISDN, both analog and digital.</li> <li>• DS1 – Defined as all DS1, T1, and ISDN Prime circuits.</li> <li>• DS3 – Defined as all DS3, T3, and higher speed (i.e., OC1-OC192) circuits.</li> <li>• Results will be reported by calendar days in AIT, SNET, and SWBT. PB will report results based on business days. Effective 04/01/01 AIT, 05/01/01 SNET, SWBT will report business days for standardization purposes.</li> </ul>

## 272(e)(1) Information Disclosures

<b>Levels of Disaggregation:</b>	
<ul style="list-style-type: none"> <li>• By State</li> <li>• By Entity Category</li> <li>• 272 affiliates</li> <li>• Other affiliates</li> <li>• Non-affiliated telecommunications providers</li> <li>• By Product</li> <li>• DS0</li> <li>• DS1</li> <li>• DS3</li> </ul>	
<b>Calculation:</b>	<b>Report Structure:</b>
<p>[Total IE N/T/C orders with the Appropriate Activity Codes with a (Completion Date less than or equal to the Due Date) or (a Completion Date greater than Due Date when missed for customer reasons)] (Counted as Day Zero)/ [Total IE N/T/C orders with the Appropriate Activity Codes]. Add completed orders for each due date increment until 95% of the total is reached.</p> <p>If no ACNA, do not count</p>	<p>Monthly data will be generated quarterly by:</p> <ol style="list-style-type: none"> <li>1. State</li> <li>2. Entity Category</li> <li>3. Product</li> <li>4. DD and each 24-Hour Period thereafter</li> </ol>
<b>Key Contacts:</b>	
<p>Regulatory Results/Operational Reviews – Gary Hajda  Industry Market Support – Nancy Dalton  Merger Compliance – Sherry Ramsey  Federal Regulatory – Linda Yohe</p>	

## 272(e)(1) Information Disclosures

<b>Service Category 3</b>
Time to Firm Order Confirmation
<b>Definition:</b>
The percentage of firm order confirmations sent within each successive 24-hour period until 95% is achieved.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• Non DS0, DS1 and DS3 orders</li> <li>• All internal orders issued for billing projects.</li> <li>• Unbundling</li> <li>• ASRs of D, K, and R</li> <li>• Projects</li> <li>• Specific requests to not provide a FOC</li> </ul>
<b>Business Rules:</b>

Effective 01, 2004, all project data has been removed. Effective 07, 2003, all unbundled loops that were found to be in this data have been removed.

This service category includes the percentage of all Access Service Request orders with activity codes of A- (add), M- (move), and C- (change) from date received to date confirmed within a 24-hour period until 95% is achieved. This percentage also includes any customer errors. NOTE:

While sonet and switched access data is part of this service category, the data cannot be captured on the front end in the products specified. On 03/01/03, we will begin receiving the data electronically. Effective 3<sup>rd</sup> quarter (July 1), 2002, all ASRs of D- (disconnects), K- (suppl, cancels), and R- (record changes) will be excluded. Meet Point circuits are not part of these results. Effective 10/1/2001, all internal orders issued for billing purposes will not be counted.

Results will be tracked for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories will be tracked- 272 affiliates, Other affiliates, and Non affiliates. All ACNAs within the 13-state territory have been classified into 272, Other, Non affiliates, and Retail. Retail customers of SBC are not part of this reporting process. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXC, CLECs, ISPs, Paging companies, and Wireless providers.

The results will be reported by product. The products of interest are:

- DS0 – Defined as all DS0, ISDN, both analog and digital.
- DS1 – Defined as all DS1, T1, and ISDN Prime circuits.
- DS3 – Defined as all DS3, T3, and higher speed (i.e., OC1-OC192) circuits.

## 272(e)(1) Information Disclosures

<b>Levels of Disaggregation:</b>	
<ul style="list-style-type: none"> <li>• By State</li> <li>• By Entity Category</li> <li>• 272 affiliates</li> <li>• Other affiliates</li> <li>• Non-affiliated telecommunications providers</li> <li>• By Product</li> <li>• DS0</li> <li>• DS1</li> <li>• DS3</li> </ul>	
<b>Calculation:</b>	<b>Report Structure:</b>
<p>Total IE orders with a firm order confirmation / Total IE orders. Add firm order confirmations for each successive daily increment until 95% of the total is reached.</p> <p>If no ACNA, do not count</p> <p>If no FOC specifically requested, do not count</p>	<p>Monthly data will be generated quarterly by:</p> <ol style="list-style-type: none"> <li>1. State</li> <li>2. Entity Category</li> <li>3. Product</li> <li>4. Received date and each 24 Hour Period thereafter</li> </ol>
<b>Key Contacts:</b>	
<p>Regulatory Results/Operational Reviews –Gary Hajda</p> <p>Financial Analysis – Tammy R Larsen</p> <p>Industry Market Support – Nancy Dalton</p> <p>Merger Compliance – Sherry Ramsey</p> <p>Federal Regulatory – Linda Yohe</p>	

## 272(e)(1) Information Disclosures

<b>Service Category 4</b>
Time from PIC Change Request to Implementation
<b>Definition:</b>
The percentage of complete and accurate PIC change requests implemented within each successive 6-hour period until 95% is achieved.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• PIC requests where there is no underlying access arrangement in the central office</li> <li>• PIC requests for lines that are PIC protected</li> <li>• PIC requests that are originated through service orders</li> <li>• PIC requests for lines that are not able to be PIC'ed</li> </ul>
<b>Business Rules:</b>
<p>The PIC/LPIC Change Request commitment given to our customers is a standard 24 hours. We will be considered to be in parity unless we exceed the 24 hour interval. This service category includes PIC/LPIC only change requests from Long Distance providers that have established access service within the central office serving the line for which the request was intended. Only complete and accurate mechanized PIC requests for lines that can be PIC'ed are counted. PIC protected lines are excluded from the measure. This measurement applies to each state in which SBC or an affiliate has received section 271 authorization. The states and dates where SBC has received 271 authorization are:</p> <ul style="list-style-type: none"> <li>• Texas – July 10, 2000</li> <li>• Kansas – March 7, 2001</li> <li>• Oklahoma – March 7, 2001</li> <li>• Arkansas – November 26, 2001</li> <li>• Missouri – December 7, 2001</li> <li>• California – December 30, 2002</li> <li>• Nevada – April 25, 2003</li> <li>• Michigan – September 26, 2003</li> <li>• Illinois – October 24, 2003</li> <li>• Ohio – October 24, 2003</li> <li>• Indiana – October 24, 2003</li> <li>• Wisconsin – October 24, 2003</li> </ul> <p>Results will be tracked for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories will be tracked- 272 affiliates, Other affiliates, Non affiliates. All CICs within the 13-state territory have been classified into the 3 categories 272, Other, and Non affiliates. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXC's, CLECs, ISPs, Paging companies, and Wireless providers. The results will be tracked by CIC for Non-Affiliated providers. Effective 09/01 Texas can now be reported as a whole state instead of by the previous 3 entities of Dallas, Houston, and San Antonio.</p>



## 272(e)(1) Information Disclosures

<b>Levels of Disaggregation:</b>	
<ul style="list-style-type: none"> <li>• State</li> <li>• Entity Category</li> <li>• 272 affiliates</li> <li>• Other affiliates</li> <li>• Non affiliated telecommunications providers</li> <li>• CIC</li> </ul>	
<b>Calculation:</b>	<b>Report Structure:</b>
(Number of PIC requests where request date & time to completion date & time is within six hours) / (the total number of requests), divided into 6 hour intervals starting 0 hours to 5.99 hours.	The report will be generated monthly by: <ol style="list-style-type: none"> <li>1. State</li> <li>2. Entity Category</li> <li>3. CIC</li> </ol>
<b>Key Contacts:</b>	
Regulatory Results/Operational Reviews –Gary Hajda Quality M&P Process – Jon Rainey Industry Market Support – Nancy Dalton Merger Compliance – Sherry Ramsey Federal Regulatory – Linda Yohe	

## 272(e)(1) Information Disclosures

<b>Service Category 5</b>
Mean Time to Restore
<b>Definition:</b>
The percentage of circuits restored within each successive 1-hour period after the trouble is reported.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• Spare Span facilities</li> <li>• Unbundling</li> <li>• Channelized circuits- T1, T3, OC</li> <li>• Non-CR trouble reports</li> <li>• Non-network troubles (IEC, CPE, INF)</li> <li>• Reports coded to TOK NTF</li> </ul>
<b>Business Rules:</b>
<p>This service category includes the Actual Duration on all non-channelized, customer reported, measured trouble reports cleared in each 1 hour period until 95% is attained. Trouble reports will be excluded if they are found to be CPE, problems outside the SBC network or within the IEC or CLEC provided facilities, or should have been classified as informational. Effective 2002, all states will use actual duration to further standardization initiatives within the SBC family.</p> <p>Results will be tracked for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories will be tracked- 272 affiliates, Other affiliates, and Non affiliates. All ACNAs within the 13-state territory have been classified into 272, Other, Non affiliates, and Retail. Retail customers of SBC are not part of this reporting process. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXCs, CLECs, ISPs, Paging companies, and Wireless providers.</p> <p>The results will be reported by product. The products of interest are:</p> <ul style="list-style-type: none"> <li>• DS0 – Defined as all DS0, ISDN, both analog and digital.</li> <li>• DS1 – Defined as all DS1 and ISDN Prime circuits.</li> <li>• DS3 – Defined as all DS3 and higher speed circuits.</li> </ul>

## 272(e)(1) Information Disclosures

<b>Levels of Disaggregation:</b>	
<ul style="list-style-type: none"> <li>• By State</li> <li>• By Entity Category</li> <li>• 272 affiliates</li> <li>• Other affiliates</li> <li>• Non-affiliated telecommunications providers</li> <li>• By Product</li> <li>• DS0</li> <li>• DS1</li> <li>• DS3</li> </ul>	
<b>Calculation:</b>	<b>Report Structure:</b>
<p>[Total actual duration on non-channelized, CR, measured trouble reports cleared] / [Total non-channelized, CR, measured trouble reports], for each 1-hour increment until 95% is reached.</p> <p>If no ACNA, do not count</p>	<p>Monthly data will be generated quarterly by:</p> <ol style="list-style-type: none"> <li>1. State</li> <li>2. Entity Category</li> <li>3. Product</li> <li>4. 1-Hour Intervals</li> </ol>
<b>Key Contacts:</b>	
<p>Regulatory Results/Operational Reviews –Gary Hajda  Industry Market Support – Nancy Dalton  Merger Compliance – Sherry Ramsey  Federal Regulatory – Linda Yohe</p>	

## 272(e)(1) Information Disclosures

<b>Service Category 6</b>
Time to Restore PIC after Trouble Report
<b>Definition:</b>
The percentage of PIC troubles cleared within each successive 1-hour period until 95% is achieved.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• All categories of reports except category one (CD) and category two (CR) reports.</li> <li>• Trouble reports where trouble is not found in SBC Network</li> <li>• Trouble reports that are not classified as Type Codes for the following companies---</li> <li>• Southwest= 260, 871, 885, 886, 872, 873, 874</li> <li>• West= 560, 561, 562, 563, 564</li> <li>• Midwest= 569, 570, 573, 577, 578</li> <li>• Subsequent Reports</li> <li>• Trouble reports where the PIC and/or LPIC effective dates can not be determined</li> <li>• Trouble reports where the customer has no PIC or LPIC assigned</li> </ul>
<b>Business Rules:</b>
<p>This service category includes trouble reports that are reported to SBC by either the end-user customer or the LD provider where trouble was found in the SBC network and closed to disposition codes for the following companies---</p> <p style="padding-left: 40px;">Southwest= 052X, 0505, 0506, West= 052X, 0554, 0557, 0558, 0559 Midwest= 052X, 059X</p> <p>The duration in hours from receipt of the trouble report until it is cleared will be used to calculate this measure. The trouble reports will have the following descriptions and type codes:</p> <ul style="list-style-type: none"> <li>• Can't Call Long Distance (CCLD) – The Type Codes by company are---</li> <li>• Southwest= 260</li> <li>• West= 560, 561, 562, 563, 564</li> <li>• Midwest= 569</li> <li>• PIC Verify or Repair – The Type Codes by company are---</li> <li>• Southwest= 871, 885, 886, 872, 873, 874</li> <li>• West= Trouble Report Narrative matches CCLD and/or PIC and/or LPIC</li> <li>• Midwest=570, 573, 577, 578</li> </ul> <p>This measurement applies to each state in which SBC or an affiliate has received section 271 authorizations. The states and dates where SBC has received 271 authorization are:</p> <ul style="list-style-type: none"> <li>• Texas – July 10, 2000</li> <li>• Kansas – March 7, 2001</li> <li>• Oklahoma – March 7, 2001</li> <li>• Arkansas – November 26, 2001</li> <li>• Missouri – December 7, 2001</li> <li>• California – December 30, 2002</li> <li>• Nevada – April 25, 2003</li> <li>• Michigan – September 26, 2003</li> <li>• Illinois – October 24, 2003</li> <li>• Ohio – October 24, 2003</li> </ul>

## 272(e)(1) Information Disclosures

- Indiana – October 24, 2003
- Wisconsin – October 24, 2003

Trouble reports received after the date(s) above are included in this service category.

Results will be tracked for two entity categories:

SBC and Affiliates and Non-Affiliated long distance providers. Effective 1/03-- 3 categories of reports will be tracked- 272 affiliates, Other affiliates, and Non affiliates.

The Other affiliates category includes the SBC affiliated companies providing long distance service (BOCs, data affiliates, internet affiliates, and wireless companies). The 272 affiliates consist of the SBC Long Distance companies. Non-Affiliated long distance providers include IXC, CLECs, ISPs, paging companies, and wireless companies.

In addition, for each entity category above, results will be tracked for two subcategories:

1. Intralata long distance provider (LPIC)
2. Interlata long distance provider (PIC).

The relevant entity and subcategory will be determined based on the PIC and/or LPIC designation that is present on the end-user account. When an account has both a PIC and LPIC assigned, then the associated trouble report will be counted twice, once based on the PIC and once based on the LPIC. If an account had an Affiliate PIC and a Non-Affiliate LPIC the trouble report would be included in both the PIC subcategory for Affiliates and the LPIC subcategory for Non-Affiliates. If unable to determine the PIC or LPIC assignments that were relevant to the time period when a trouble ticket was open, then that trouble ticket will be excluded from the measure.

The information for PIC and LPIC is now available and retained in the ASKME databases as of 05/01.

### **Levels of Disaggregation:**

- State
- Entity Category
- 272 affiliates
- Other affiliates
- Non-affiliated telecommunications providers
- Sub-Category PIC (Inter-LATA Carrier)
- LPIC (Intra-LATA Carrier)

### **Calculation:**

Total Reports cleared hourly/ Total reports cleared, for each 1-hour increment until 95% is reached.

### **Report Structure:**

Monthly data will be generated quarterly by:

1. State
2. Entity Category (Affiliated/Non-Affiliated)
3. Entity Sub-Category (PIC/LPIC)

### **Key Contacts:**

Regulatory Results/Operational Reviews –Gary Hajda  
 Industry Market Support – Nancy Dalton  
 Merger Compliance – Sherry Ramsey  
 Federal Regulatory – Linda Yohe

## 272(e)(1) Information Disclosures

<b>Service Category 7</b>
Mean Time to Clear Network Trouble
<b>Definition:</b>
The average number of hours to clear network trouble.
<b>Exclusions:</b>
<ul style="list-style-type: none"> <li>• Spare Span facilities</li> <li>• Unbundling</li> <li>• Channelized circuits- T1 (DS3, T3, OC are also not measured)</li> <li>• Non-CR trouble reports</li> <li>• Non-network troubles (IEC, CPE, INF)</li> <li>• Reports coded to TOK, NTF</li> </ul>
<b>Business Rules:</b>
<p>This service category includes the Actual Duration on all non-channelized, customer reported, measured trouble reports. The results will be measured in hours and decimal hours. Trouble reports will be excluded if they are found to be CPE, problems outside the SBC network or within the IEC or CLEC provided facilities, or should have been classified as informational. Effective 2002 all companies will report Actual duration to further standardization initiatives within the SBC family.</p> <p>Results will be reported for two entity categories: 1. SBC and affiliates, and 2. Non-affiliated telecommunications providers. Effective 1/03- 3 categories of reports will be tracked- 272 affiliates, Other affiliates, and Non affiliates. All ACNAs within the 13-state territory have been classified into 272, Other, Non affiliates, and Retail. Retail customers of SBC are not part of this reporting process. The Other affiliates category includes the SBC BOCs, SBC data affiliates, SBC Internet affiliates, SBC Wireless companies, and SBC Messaging companies. The 272 affiliates consist of the SBC Long Distance companies. Non-affiliated telecommunications providers include IXC's, CLECs, ISPs, Paging companies, and Wireless providers.</p> <p>The results will be tracked by product. The products of interest are:</p> <ul style="list-style-type: none"> <li>• DS0 – Defined as all DS0, ISDN, both analog and digital.</li> <li>• DS1 – Defined as all DS1 and ISDN Prime circuits.</li> </ul>

## 272(e)(1) Information Disclosures

<b>Levels of Disaggregation:</b>	
<ul style="list-style-type: none"> <li>• By State</li> <li>• By Entity Category</li> <li>• 272 affiliates</li> <li>• Other affiliates</li> <li>• Non-affiliated telecommunications providers</li> <li>• By Product</li> <li>• DS0</li> <li>• DS1</li> </ul>	
<b>Calculation:</b>	<b>Report Structure:</b>
[Total Actual Duration on all non-channelized, CR, measured trouble reports] / [Total non-channelized, CR, measured trouble reports] If no ACNA, do not count	Monthly data will be generated quarterly by: <ol style="list-style-type: none"> <li>1. State</li> <li>2. Entity Category</li> <li>3. Product</li> </ol>
<b>Key Contacts:</b>	
Regulatory Results/Operational Reviews –Gary Hajda Industry Market Support – Nancy Dalton Merger Compliance – Sherry Ramsey Federal Regulatory – Linda Yohe	

## Format for Information Disclosures Pursuant to Section 272(e)(1)

Service Category	Types of Access	Outcome for BOC and BOC Affiliates
1) Successful Completion According to Desired Due Date (measured in a percentage)	DS3 and above	
	DS1	
	DS0	
2) Time from BOC Promised Due Date to Circuit being placed in service (measured in terms of percentage installed within each successive 24 hour period, until 95% installation completed)	DS3 and above	
	DS1	
	DS0	
3) Time to Firm Order Confirmation (measured in terms of percentage received within each successive 24 hour period, until 95% completed)	DS3 and above	
	DS1	
	DS0	
4) Time from PIC Change request to implementation (measured in terms of percentage implemented within each successive 6 hour period, until 95% completed)	By CIC (10XXX)	
5) Time to Restore and trouble duration (percentage restored within each successive 1 hour interval, until resolution of 95% of incidents)	DS3 and above	
	DS1	
	DS0	
6) Time to restore PIC after trouble incident (measured by percentage restored within each successive 1 hour interval, until resolution of 95% restored)	By CIC (10XXX)	
7) Mean time to clear network / average duration of trouble (measured in hours)	DS1 Non-Channelized	
	DS0	



**Description of SBC's  
Section 272(e)(1) Reporting Process and  
Associated Biennial Audit Testing**

**Excerpts from SBC's Second Section 272 Biennial Audit Report**

During the Engagement Period SBC tracked monthly results by state (starting in the first full month following Section 271 authorization) for the...[section 272(e)(1)] performance measurements ("PMs") for BOC and affiliates and non-affiliates from July 2001 through December 2002 and for the Section 272 affiliates, BOC and other BOC affiliates and non-affiliates from January 2003 through June 2003. **(Objective VIII, Procedure 3)**

The SBC business rules refer to the PMs as service categories. SBC *prepared results quarterly and made them available upon request*. In order to document these measures, the Company developed *detailed business rules and reporting criteria* for each of the seven PMs. Reports are produced from the *SBC reporting systems* including Acquisition of Statistical Knowledge Made Easy ("ASKME") and Open Query System ("OQS"). The data providers review the raw data from ASKME and OQS, and the results are reviewed quarterly for completeness by SBC Industry Markets Group. SBC also performs parity comparisons, investigates out-of-parity results and performs root cause analyses in order to provide recommendations to improve performance. **(Objective VIII, Procedure 3)**

Obtained the performance data maintained by SBC BOCs during the Engagement Period, by month, by state, indicating time intervals for processing of orders (for initial installation requests, subsequent requests for improvement, upgrades, or modifications of service or repair and maintenance), provisioning of service, and performance of repair and maintenance services for the Section 272 affiliates, BOC and other BOC affiliates and non-affiliates for exchange access services and PIC charge orders. During the Engagement Period, SBC did not report Section 272(e)(1) performance measures for the *exchange telephone* service category. For exchange access services, SBC did not report any *Feature Group D* measurements during the Engagement Period and included *OCN activity* in the exchange access service measurements for DS3 and above. From this data, prepared comparisons...of the differences in time in fulfilling each type of request for the same service for the Section 272 affiliates (BOC and affiliates from July 2001 through December 2002) and the non-affiliates. Requested explanations from SBC where fulfillment of requests from non-affiliates took longer than for the Section 272 affiliates. **(Objective VIII, Procedure 4)**

SBC represented that their internal statistical analysis of the differences...indicated that the differences were *not statistically significant*, except for certain results from PM 3...and that the differences were merely the result of *random variations* (i.e., the statistically significant differences were *random occurrences and not systemic*). SBC represented that they evaluate Section 272(e)(1) PM results when an out-of-parity condition (i.e., the difference is statistically significant) occurs in any three consecutive month period or when situations indicate that the results do not include merely random variations. SBC performs an extensive root-cause analysis when these situations occur. **(Objective VIII, Procedure 4)**

**Description of SBC's  
Section 272(e)(1) Reporting Process and  
Associated Biennial Audit Testing**

Inquired how and where the SBC BOCs make available to unaffiliated entities information regarding service intervals in providing any service to the Section 272 affiliates, themselves or their affiliates and to unaffiliated entities. SBC represented that the Director Negotiations – Industry Markets Support is responsible for making the Section 272(e)(1) reports available to interested parties upon request. The Project Manager-Merger Compliance within the Industry Markets Group maintains the most recent copy of the reports, responds to the request within seven days and the log of requests received from interested parties. Other carriers can contact their account team manager within Industry Markets to request the Section 272(e)(1) reports. SBC represented that they received no requests for the Section 272(e)(1) PMs during the Engagement Period. **(Objective VIII, Procedure 6)**